

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

In re Patent Application of

Thomas BÜCHEL

Date: June 7, 2001

Serial No.: 09/807,457

Group Art Unit: ----

Filed: April 12, 2001

Examiner: ----

For: MOULDED BODIES MADE FROM A POLYURETHANE MATERIAL,
PRODUCTION AND USE THEREOF

Asst. Commissioner for Patents

Washington, D.C. 20231

Attention: Application Branch

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION - FILING DATE GRANTED

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date
Granted, mailed May 8, 2001, submitted herewith is the Inventor(s) Declaration and our Check
No. 4981 which includes the amount of \$65.00 in payment of the surcharge.

In the event the actual fee is greater than the payment submitted or is
inadvertently not enclosed or if any additional fee during the prosecution of this application is
not paid, the Patent Office is authorized to charge the underpayment to Deposit Account
#15-0700.

If this communication is filed after the time period had elapsed and no separate
Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R.
§1.136(a), to extend the time for filing a response by the number of months which will avoid
abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our

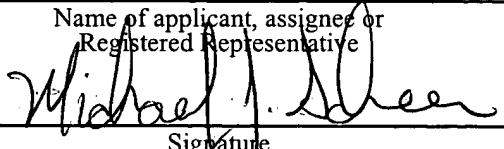
Deposit Account No. 15-0700.

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I hereby certify that this correspondence is being
deposited with the United States Postal Service with
sufficient postage as First Class Mail in an envelope
addressed to: Commissioner of Patents and
Trademarks, Washington, D.C. 20231, on June 7, 2001

Michael J. ScheerName of applicant, assignee or
Registered Representative

Signature

June 7, 2001

Date of Signature

WOG/MJS:jg

Respectfully submitted,



Michael J. Scheer

Registration No.: 34,425

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/807457	BUGHEL	P/167-133
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 10036 8403		INTERNATIONAL APPLICATION NO. PCT/EP98/06558
I.A. FILING DATE 15 OCT 98		PRIORITY DATE 08 MAY 2001
DATE MAILED:		

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):

- | | |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input checked="" type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input checked="" type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |

2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.

- ☐ U.S. Basic National Fee. ☐ Copy of the international application.

3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875 ☐ PCT/DO/EO/920

Barbara A. Campbell.

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